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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,774	03/16/2004	Michael John Sweers	TTC-15002/08	3126
25006	7590	05/25/2005	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C			COLETTA, LORI L	
PO BOX 7021				
TROY, MI 48007-7021			ART UNIT	PAPER NUMBER
			3612	

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/801,774

**Applicant(s)**

SWEERS ET AL.

**Examiner**

Lori L. Coletta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-14 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 4,5,8 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06242004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-14 are objected to because of the following informalities:

Claim 1 recites the limitation "the vehicle body panels" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Regarding claims 2-6 and 8-10, "A trim panel assembly" (line 1) needs to be changed to -- A reinforced trim panel assembly--.

Claim 3 recites the limitation "said reinforcement member" in lines 2 and 6. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 3, "said integral first trim panel member" (line 3) needs to be changed to --said first trim panel member--.

Claims 7 and 11 recites the limitations "the vehicle body panels" and "said reinforcement member". There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Furuyama et al. US 2001/0025456.

Regarding claim 1, Furuyama et al. '456 discloses a reinforced trim panel assembly for a vehicle body panel comprising a first trim panel member adjacent to a second trim panel member along a first seam; a reinforcement bracket disposed between said trim panel members and the vehicle body panels, and positioned over said first seam and secured to each of said first trim panel member and said second trim panel member using a fastening means, wherein said reinforcement bracket absorbs a force from an impact to said trim panel assembly to prevent separation of said seam.

Regarding claim 2, Furuyama et al. '456 discloses the reinforced trim panel assembly wherein said first trim panel member is generally planar and extends vertically and longitudinally a predetermined distance, and said second trim panel member is generally planar and extends vertically and longitudinally a predetermined distance.

Regarding claim 3, Furuyama et al. '456 discloses the reinforced trim panel assembly wherein said reinforcement member is generally planar and has a slope corresponding to the shape of said integral first trim panel member and said second trim panel member, and also extends longitudinally and vertically a predetermined distance, so that at least a portion of said first seam is covered by said reinforcement member.

Regarding claims 6 and 10, Furuyama et al. '456 discloses the reinforced trim panel assembly wherein said fastening means is a screw.

Regarding claim 7, Furuyama et al. '456 discloses a reinforced trim panel assembly attached to a body panel of a vehicle comprising a first trim panel that is generally planar and extends vertically and longitudinally a predetermined distance; second trim panel member adjacent to said first trim panel member adjacent to said first trim panel member along a first

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seam, and said second trim panel member is generally planar and extends vertically and longitudinally a predetermined distance; and a reinforcement bracket disposed between said panel member and the vehicle body panels, and positioned over said first seam and secured to each of said first trim panel member and said second trim panel member using a fastening means, wherein said reinforcement member is generally planar and has a shape corresponding to the shape of the integral first trim panel member and said second trim panel member, and also extends longitudinally and vertically a predetermined distance, so that at least a portion of said first seam is covered by said reinforcement member, and said reinforcement bracket absorbs a force from an impact to said trim panel assembly to prevent separation of said first seam.

*Allowable Subject Matter*

4. Claims 11-14 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

The recitations of the specific features of the third trim panel member in claim 11 including especially the construction of the third trim panel member adjacent a lower edge of the second trim panel member along a second seam, and the third trim panel member is generally planar and extends vertically and longitudinally a predetermined distance is not taught nor is fairly suggested by the prior art of record.

6. Claims 4, 5, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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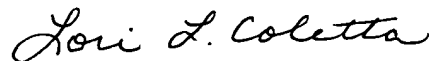
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other trim panel assemblies similar to that of the current invention.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is 571-272-6658. The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lori L. Coletta  
Primary Examiner  
Art Unit 3612

llc  
May 21, 2005